

**ENTERED**

November 16, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

WILBERT J LIMA, *et al*,

Plaintiffs,

VS.

CHARLES WAGNER, *et al*,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§

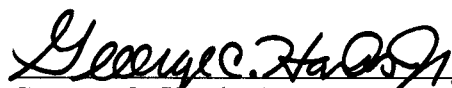
CIVIL ACTION NO. 3:16-CV-74

**ORDER DENYING PLAINTIFF'S MOTION FOR LEAVE**  
**TO FILE A SUR-REPLY**

Pending before the Court is Plaintiffs' Motion for Leave to File a Sur-Reply. Dkt. 41. Plaintiffs claim that a sur-reply is required because Defendants' Reply (Dkt. 39) introduced new arguments and evidence. Instead of pointing to new arguments or evidence, however, Plaintiffs' Motion instead attempts to dispute Defendants' characterization of previously argued issues.

Because "surreplies are heavily disfavored by courts," *Warrior Energy Services Corp. v. ATP Titan M/V*, 551 Fed. App'x, 749, 751 n. 2 (5th Cir. Jan. 6, 2014) (quoting *Weems v. Hodnett*, No. 10-CV-1452, 2011 WL 2731263, at \*1 (W.D. La. July 13, 2011)), and because Plaintiffs have not shown that further briefing is required, the Court hereby **DENIES** Plaintiffs' Motion.

SIGNED at Galveston, Texas, this 16<sup>th</sup> day of November, 2016.



George C. Hanks Jr.  
United States District Judge